

**BOARD OF ISLAND COUNTY COMMISSIONERS MINUTES OF MEETING
OCTOBER 20, 2015 – REGULAR SESSION**

The Board of Island County Commissioners (including Diking Improvement District #4) met in Regular Session on October 20, 2015 beginning at 10:00 a.m. in the Board of County Commissioners Hearing Room (Room # 102B), Annex Building, 1 N.E. 6th Street, Coupeville, Washington. Helen Price Johnson, Chair, Richard Hannold, Member, and Jill Johnson, Member were present. The meeting began with the Pledge of Allegiance.

Note: To view the video recording of this meeting, go to the County's [website](#) or directly to [the video](#). If you are interested only in a specific topic, click on the timestamp located on [the agenda](#) for that particular issue to hear the discussion.

PUBLIC INPUT OR COMMENTS

[Documents on file with the Clerk of the Board]

- No public comments were offered

APPROVAL OF PRELIMINARY AGENDA AS PUBLISHED

ADDED TO THE REGULAR AGENDA

Item 15: Clarification of Motion in the October 7, 2015 Work Session Minutes

ACTION TAKEN:

Motion by Commissioner Johnson to approve the agenda as amended adding Item 15 to the Regular Agenda, second by Commissioner Hannold. Motion carried 3-0

CONSENT AGENDA

[Documents on file with the Clerk of the Board]

Pre-audited bills:	\$279,083.04
Vouchers:	\$1,672,607.73
Electronic funds transfers:	\$736.12
Payroll:	\$247.27
Minutes:	Regular Sessions - 8/25, 9/1, 9/8, 9/15/2015
	Special Sessions - 9/10, 9/21/2015
	Work Session - 10/7/2015

Enhanced 911

- Interlocal Agreement with WA State Military Department providing State Enhanced 911 funds for County FY16 Wireline and Wireless Operations at ICOM. Contract No. E16-038; Amount: \$41,900 (RM-BOCC-2015-314)
- Interlocal Agreement with ICOM for WA State Enhanced 911 FY16 Wireline and Wireless Funds. Contract No. E16-038; Amount: \$41,900 (RM-BOCC-2015-315)

Human Services

Amendment No. 4 with Sunrise Services to provide jail transition services (7/1/15 – 9/30/15). Contract No. HS-48-13(4); Amount: \$8,911.26 (RM-HS-2015-325)

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Public Health

- Waiver for Competitive Solicitation - Christopher Spitters, MD for 2016 TB Consultant Services. Dr. Spitters is an expert by education and experience in the area of communicable disease control and is an integral part of Island County Public Health's TB program
- Contract with Opportunity Council for Septic Inspection Intake and Referral Program (7/1/15 – 6/30/17) Contract No. HD-15-2015; Amount: \$7,500 (RM-HLTH-2015-324)

Public Works- County Roads

Agreement – WA State Department of Transportation (WSDOT); Annual Title VI Non-Discrimination Agreement, Population under 100,000; Federal Funding requirement by WSDOT (RM-PW-2015-256) (PW-1520-114)

Treasurer

Amendment to the Executory Conditional Sale Contract between Island County as Seller and Port of Coupeville as Buyer. Amount \$294,640.38

ACTION TAKEN:

Motion by Commissioner Hannold to approve the Consent Agenda as presented, second by Commissioner Johnson. Motion carried 3-0

REGULAR AGENDA

[Documents on file with the Clerk of the Board]

Commissioners

2% Hotel-Motel Tax Tourism Promotion Projects Awards for 2016

ACTION TAKEN:

Motion by Commissioner Johnson to move the 2% Hotel-Motel Tax Tourism Promotion Projects Awards for 2016 to the October 21, 2015 Work Session for further discussion, second by Commissioner Hannold. Motion carried 3-0

Resolution C-112-15 Recognizing Mayor Nancy Conard and Her Outstanding Service to the Central Whidbey Community

ACTION TAKEN:

Motion by Commissioner Price Johnson to adopt Resolution C-112-15 Recognizing Mayor Nancy Conard and Her Outstanding Service to the Central Whidbey Community, second by Commissioner Hannold. Motion carried 3-0

Community Development

PLP 179/15: Camano Sunrise View Estates Div. 2 Final Plat approval to subdivide a 9.78 acre parcel zoned Rural Village, into 19 single-family residential lots and two mixed-use lots as approved by the Island County Hearing Examiner February 14, 2013

Michelle Pezley, Current Use Planner, presented the staff report and recommended approval.

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ACTION TAKEN:

Motion by Commissioner Johnson to approve Final Plat PLP 179/15 for Camano Sunrise View Estates Div. 2, second by Commissioner Hannold. Motion carried 3-0

Commissioners

ADDED TO THE REGULAR AGENDA

Clarification of Motion in the October 7, 2015 Work Session Minutes

On October 7 the Board met in Executive Session to review the performance of a public employee. Following the Executive Session, when the Board returned to open session, Commissioner Price Johnson suggested a motion that in retrospect was probably not as clear as it could have been. When she referred to the Budget Director and Human Resources Director taking action on the Board's behalf as a result of the evaluation, the action that was referred to in the motion was to bring forward a recommendation for Board action on the following Tuesday which is exactly what occurred. Commissioner Price Johnson apologized if her lack of clarity caused any confusion.

COMMISSIONERS COMMENTS AND ANNOUNCEMENTS

Board members provided their respective comments and announcements.

Executive Session Announced

Commissioner Price Johnson announced that the Board would recess then meet in Executive Session at 2:00 p.m. as allowed under RCW 42.30.110(1)(i) to discuss with legal counsel litigation or potential litigation. The Executive Session would take place in the Administration Building, Conference Room 214, and was anticipated to last approximately 1 hour. No announcement in open public session is expected.

ACTION TAKEN:

Motion by Commissioner Johnson to recess Regular Session at 10:40 a.m. until 2:00 p.m. for Executive Session, second by Commissioner Hannold. Motion carried 3-0

At 2:00 p.m. the Board reconvened Regular Session. Commissioner Price Johnson stated for the record that Prosecuting Attorney Greg Banks and she exchanged emails pursuant to the Executive Session wherein Mr. Banks agreed there would be no conflict with Chief Civil Deputy Prosecuting Attorney Dan Mitchell and Special Counsel Susan Drummond participating together in the Executive Session. The Board and legal counsel then went into Executive Session as provided under RCW 42.30.110(1)(i).

At 3:00 p.m. the Board returned to open session. Commissioner Price Johnson recessed the meeting until 6:00 p.m. for public hearings.

PUBLIC HEARINGS

[Documents on file with the Clerk of the Board]

Long Range Planning

6:00 p.m. Public Hearing: Ordinance C-106-15 (PLG-005-15) Adopting Official Controls to Amend Development Regulations in Island County Code Chapters 17.02 and 17.02B that apply to Preexisting Agricultural Activities within Critical Area Overlay Zones

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GMA Record:

- Agenda (*GMA No. 11745*)
- Attendance Sheet (*GMA No. 11746*)
- Legal Notice (*Whidbey News Times/South Whidbey Record GMA No. 11570*)
- Legal Notice (*Stanwood Camano News (GMA No. 11571)*)
- Report to the Board from Planning Commission dtd 9/28/15 (*GMA No. 11539*)

Brad Johnson, Senior Planner, provided a brief overview of the ordinance saying that it addresses an outstanding Growth Management Hearings Board decision regarding Island County's critical area regulations and their effect on existing and ongoing agricultural practices. The ordinance was previously considered by the Board under the terms of a temporary ordinance; however, the Growth Management Hearings Board decision that was issued stated that the ordinance needed to in fact be a permanent measure.

Public comments were offered by:

- Steve Erickson on behalf of the Whidbey Environmental Action Network

There being no additional testimony, the public hearing was closed.

ACTION TAKEN:

Motion by Commissioner Johnson to adopt Ordinance C-106-15 (PLG-005-15) Official Controls to Amend Development Regulations in Island County Code Chapters 17.02 and 17.02B that apply to Preexisting Agricultural Activities within Critical Area Overlay Zones, second by Commissioner Hannold. Motion carried 3-0 (*GMA No. 11750*)

6:00 p.m. Public Hearing: Ordinance C-107-15 (PLG-007-15) Updating and Adopting Amendments to the Island County Shoreline Master Program Element of the Comprehensive Plan and Adoption of Chapter 17.05A ICC to replace Chapters 16.21 and 17.05 ICC

GMA Record

- Agenda (*GMA No. 11745*)
- Attendance Sheet (*GMA No. 11747*)
- Legal Notice (*Whidbey News Times/South Whidbey Record GMA No. 11570*)
- Legal Notice (*Stanwood Camano News (GMA No. 11571)*)
- Planning Commission Memorandum dtd September 28, 2015 (*GMA No. 11538*)
- Dept. of Ecology's August 17 letter with attachments outlining required and recommended changes (*GMA No. 11506, 11507, 11508, 11509*)
- Letter from Langebeer & Traxler dated October 12, 2015 (*GMA No. 11748*)

Mr. Johnson provided a summary of the process of approval to date, indicating that the ordinance represents the final step towards adoption of Island County's Shoreline Master Program.

Public comments were offered by:

- Chuck Krieg
- Samuel Rodabough, Attorney on behalf of Norm Couttie
- Angie Homola

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- Steve Erickson on behalf of the Whidbey Environmental Action Network

There being no additional comment, the public hearing was closed.

Based on the questions and concerns that remain, staff recommended that deliberation and potential decision be continued to the next available date, suggesting November 3 at 10:15 a.m.

The Board recessed at 7:03 p.m. for five minutes to confer with legal counsel, reconvening at 7:08 p.m.

ACTION TAKEN:

Motion by Commissioner Hannold to continue deliberation and adoption of Ordinance C-107-15 Updating and Adopting Amendments to the Island County Shoreline Master Program Element of the Comprehensive Plan and Adoption of Chapter 17.05A ICC to replace Chapters 16.21 and 17.05 ICC to a public meeting on November 3, 2015 at 10:15 a.m.; the public hearing is closed but written comments will be allowed until November 3, second by Commissioner Johnson. At that time staff will provide additional guidance to the Board on consistency between shoreline environment designations and RAID designations as well as shoreline restoration not being confused with shoreline stabilization. Motion carried 3-0

ACTION TAKEN:

Motion by Commissioner Hannold to recess Regular Session at 7:14 p.m. until Friday, October 23 at 2:00 p.m. for Budget Workshop, second by Commissioner Johnson. Motion carried 3-0

REGULAR SESSION RECONVENED – BUDGET WORKSHOP – OCTOBER 23, 2015

At 2:00 p.m. the Board reconvened Regular Session to meet in Budget Workshop with the Budget Director to review revenue and expenditure estimates, and other matters related to the development of the 2016 Preliminary Budget. Discussion items included a recap of where the Board is now in the budget process, revenue, and supplementals.

There being no further business to come before the Board the meeting adjourned at 4:25 p.m. following Budget Workshop. The Board will meet next in Regular Session on October 27, 2015 at 10:00 a.m.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Helen Price Johnson, Chair

ATTEST:

Richard M. Hannold, Member

Virginia Shaddy
Deputy Clerk of the Board

Jill Johnson, Member